

## **INSTRUCTIONS:**

### **HOW TO FILE THE MOTION TO ENFORCE PARENT TIME ORDER**

**OVERVIEW:** When a motion is filed in the Third District Court (Salt Lake, Summit, and Tooele counties) alleging a dispute over or problems with court-ordered parent-time (visitation), a referral to mediation is required. Mediation is a process where parties meet with a neutral third-party to identify areas of concern and the needs of the parents and children, and has been proven very successful in resolving parent-time problems. Below are the instructions to fill out and file a Motion to Enforce Parent-time Order and make the referral to mediation.

**FORMS:** The forms on this website are designed to assist parents who already have a court order for parent-time (visitation) and who are experiencing problems or disputes and need the order enforced. These forms are for use in the Third District Court ONLY (Salt Lake, Summit, and Tooele counties).

**STEP 1: MOTION TO ENFORCE PARENT-TIME ORDER:** Include your name, address, and phone number in the upper left-hand corner. Copy all of the other court information (name of Petitioner, Respondent, case/civil number, Judge, and Commissioner) exactly as it appears on the court order. Then complete all the information on this form, especially the information regarding the existing orders of the Court which deal with parent-time as well as what you want the Court to order regarding parent-time. Do not forget to complete the CERTIFICATE OF MAILING.

**STEP 2: PARENT-TIME DISPUTE REFERRAL FORM:** Fill this form out completely, including all phone numbers that you have for you and the other parent and email addresses. Please check all the boxes that apply to your case.

**STEP 3: WHEN COMPLETED:** When you have completed the MOTION and REFERRAL FORM, make three (3) copies of the MOTION. You will need to do the following:

- Mail one of the copies to the other parent
- Keep one of the copies for your records
- Attach the REFERRAL FORM to one of the copies and bring it into the Third District Court, 450 South State Street, 3<sup>rd</sup> Floor, W-30. If you cannot deliver it in person, you may mail it to:  
The Co-Parenting Mediation Program  
Administrative Office of the Court  
450 South State Street  
PO BOX 140241  
Salt Lake City, UT 84114-0241
- Bring in the original MOTION to the Third District Court, 450 South State Street, 3<sup>rd</sup> Floor, W-30. If you cannot deliver and file the MOTION in person, you may mail it to:  
The Third District Court  
450 South State Street  
PO BOX 1860  
Salt Lake City, UT 84114-1860

STEP 4:        **MEDIATED ORDER REGARDING PARENT-TIME:**        If an agreement is reached in mediation, you may fill out the **MEDIATED ORDER**, each of you must sign the back page approving the terms of the order, and then submit it to the court for signature. Your agreement then becomes the new order of the court, and subject to court enforcement if there are future disputes or problems. This may be delivered or mailed to the Third District Court at the address above.

## PARENT-TIME DISPUTES

**Pursuant to Utah Code Ann. §30-3-38 all parent-time disputes must be referred to the Co-Parenting Mediation Program. If you are filing a pleading alleging court-ordered parent-time is being violated, PLEASE FILL OUT THIS FORM COMPLETELY AND ATTACH IT TO A COPY OF YOUR PLEADING.**

Case No: \_\_\_\_\_ Judge/Commissioner \_\_\_\_\_

Petitioner ("Custodial Parent")

Respondent ("Custodial Parent")

	<b>Name</b>	
	<b>Address</b>	
	<b>City, ST Zip</b>	
	<b>Phone #s</b>	
	<b>Email</b>	
	<b>Attorney</b>	
	<b>Atty Phone #</b>	

Please Check (T) All Boxes Which Apply In This Case

Motion/Pleading filed by the **" non-custodial "** custodial parent

**"** There is a Guardian Ad Litem appointed. If YES, name: \_\_\_\_\_

**" Current parent-time order is temporary (decree pending)**

**"** Current parent-time order is permanent (decree granted)

**" There is a current Protective Order issued between the parties**

**“ There is a history/allegation of domestic violence**

“ Mediation has been previously attempted. If YES, when? \_\_\_\_\_

**Questions?** Please call (801) 578-3826 (FAX) (801) 578-3843

or write to Admin. Office of the Courts; 450 S. State; P.O. Box 140241; SLC, UT 84114-0241

DO NOT WRITE BELOW—OFFICE USE ONLY

Received: \_\_\_\_\_


Notes:

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[illegible]

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Your Name)  
(Your Street Address)  
(City, State, ZIP Code)  
(Telephone Number)

IN THE THIRD JUDICIAL DISTRICT COURT

OF \_\_\_\_\_ COUNTY, STATE OF UTAH

_____	)	
_____,	)	
Petitioner,	)	MOTION TO ENFORCE
	)	PARENT TIME ORDER
vs.	)	
_____	)	
Respondent.	)	Civil No. _____
	)	Judge _____
	)	Commissioner _____

I, \_\_\_\_\_ (your name) respectfully asks this Court to enforce the parent-time (visitation) order entered in this case, and state the following:

1. The parties are the natural parents of (list full name of children and date of birth):

\_\_\_\_\_  
\_\_\_\_\_

2. A \_\_\_\_\_ (name of order, for example, Decree of Divorce or Order of Paternity) was entered on \_\_\_\_\_ (date order was signed by the Court) which included provisions for custody and parent time as follows (list the orders regarding custody and the parent-time schedule):

a. Orders regarding custody:

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b. Orders regarding the parent-time schedule:

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c. Other orders (telephone access, special circumstances, etc.):

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3. The other party has violated the court order(s) by doing the following (list what the other party has done in violation of the court order):

a. \_\_\_\_\_

\_\_\_\_\_

b. \_\_\_\_\_

\_\_\_\_\_

c. \_\_\_\_\_

\_\_\_\_\_

d. \_\_\_\_\_

\_\_\_\_\_

WHEREFORE, I request that the Court find the other party in contempt for failing to comply with the order of this court, and enter the following additional order(s):

(state what you want the court to order)

1. \_\_\_\_\_

\_\_\_\_\_

2. \_\_\_\_\_

\_\_\_\_\_

3. \_\_\_\_\_

\_\_\_\_\_

4. The Court should grant such other and further relief as it may deem just and appropriate in this matter.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

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(Your Signature)

CERTIFICATE OF MAILING

On this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, I deposited in the United States

Mail, postage prepaid, a true and correct copy of the foregoing Motion to Enforce Parent-Time

Order to

\_\_\_\_\_ (Name of other party or their attorney)  
\_\_\_\_\_ (Street address)  
\_\_\_\_\_ (City, State, ZIP Code)

\_\_\_\_\_  
(Signature of person mailing document)



\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Your Name)  
(Your Street Address)  
(City, State, ZIP Code)  
(Telephone Number)

IN THE THIRD JUDICIAL DISTRICT COURT

OF \_\_\_\_\_ COUNTY, STATE OF UTAH

_____	)	
_____	)	
Petitioner,	)	MEDIATED ORDER REGARDING
	)	PARENT TIME
vs.	)	
_____	)	
Respondent.	)	Civil No. _____
	)	Judge _____
	)	Commissioner _____

Mediation regarding parent-time was held on \_\_\_\_\_ (date of mediation).

The following people were present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The parties reached an agreement regarding parent-time. The Court having reviewed the file in this matter, having made inquiry of the parties and counsel, and being otherwise fully advised in the premises,

IT IS HEREBY ORDERED:

1. \_\_\_\_\_

\_\_\_\_\_

2. \_\_\_\_\_

\_\_\_\_\_

3. \_\_\_\_\_

\_\_\_\_\_

4. \_\_\_\_\_

\_\_\_\_\_

5. \_\_\_\_\_

\_\_\_\_\_

DATED THIS \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

BY THE COURT:

\_\_\_\_\_  
DISTRICT COURT JUDGE

DATED THIS \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

BY THE COURT:

\_\_\_\_\_  
DISTRICT COURT COMMISSIONER

I agree to the terms of this agreement and understand that they will become an Order of the Court once signed by the Judge.

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Petitioner's Signature

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Date

I agree to the terms of this agreement and understand that they will become an Order of the Court once signed by the Judge.

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Respondent's Signature

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Date

CERTIFICATE OF MAILING

On this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, I deposited in the United States

Mail, postage prepaid, a true and correct copy of the foregoing Mediated Order Regarding Parent

Time to:

\_\_\_\_\_ (Name of other party or their attorney)  
\_\_\_\_\_ (Street address)  
\_\_\_\_\_ (City, State, ZIP Code)

\_\_\_\_\_  
(Signature of person mailing document)